



August 22, 2016

Supervisor Frank R. Mecham
Board of Supervisors
1st District, San Luis Obispo County
1055 Monterey Street, Suite D430
San Luis Obispo, CA 93408

**RE: August 17, 2016, Meeting with CAL FIRE and Caltrans Regarding the
Proposed Gate at Existing Laetitia Vineyard Drive**

Dear Supervisor Mecham,

First, we would like to thank you for arranging our meeting last week with you, Vicky, applicant representatives, and representatives from CAL FIRE and Caltrans. It was an important meeting to try and clarify Caltrans concerns regarding emergency access and evacuation at the Laetitia Vineyard Drive gate. The control measures proposed at the gate were described in detail by CAL FIRE in a letter to the County dated July 7, 2016. These control measures were proposed to be augmented by the applicant in a letter dated July 18, 2016. This was the second meeting regarding this subject matter as the first meeting apparently resulted in a misunderstanding wherein CAL FIRE, the applicant, and Supervisor Arnold thought a resolution was reached but Caltrans did not.

Our understanding from this meeting is that Caltrans primary concern is that control at the proposed gate will not be an enforceable condition imposed by the County, i.e., that access limitations at Laetitia Vineyard Drive gate could not or would not be enforced by the County in the long term.

As we indicated in the meeting, it is routine for the County to impose conditions on private development projects with the expectation that compliance with a condition(s) will be provided by the applicant and subsequently by project residents. Absent such compliance County may take enforcement actions. Examples of long-term conditions routinely imposed on a private development project by the County include such matters as:

- Water use limitations
- Open Space requirements and associated limitations of uses
- Trails maintenance
- Landscape area limitations
- Housing affordability requirements

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a California corporation • Lenny Grant, Architect C26973 • Jerry Michael, PE 36895, LS 6276 • Jeff Ferber, LA 2844

Agenda No. 21 Meeting Date: August 23, 2016

Presented By: Victor Montgomery

Rcv'd prior to the meeting & posted on the web: August 22, 2016 Page 1 of 5



At the close of the meeting, the applicant was tasked with preparing draft language describing an enforceable condition applicable to the secondary access and evacuation for the Laetitia Ag Cluster project at Laetitia Vineyard Drive. As a result, we have prepared the following draft condition language:

- Condition number _____ - Emergency Access and Evacuation Access at existing Laetitia Vineyard Drive

The applicant shall provide:

1. Emergency access and evacuation "gate improvements" as described in the letter from CAL FIRE to the County dated July 7, 2016. These improvements shall be subject to County inspection.
2. Additional enhanced gate improvements as described in letter from applicant to County dated July 18, 2016. Such equipment shall have the capability to photograph the approach and exit views of the gate and capture data regarding vehicle license numbers, etc. These improvements shall be subject to County inspection.
3. VTM 2606 (Laetitia Final Tract Map) shall have an additional sheet describing the gate improvements design and details. Subject to County plan check review.
4. The CCRs for the project shall be reviewed by the County and shall clearly identify the intent and the limitations on use of the gate.
5. The deeds for each residential home site shall contain a specific description of the intent and specific limitations on use of the emergency access and evacuation gate.
6. The Home Owners Association (HOA) documents shall describe the intent and applicable limitations on use of the gate improvements, describe and provide for imposition of fines related to inappropriate use of gate by residents, guests, vendors, etc., including the identification of amounts of fines (subject to County review and approval) associated with inappropriate use.
7. The HOA documents shall include a schedule of fines for violation of gate use protocols and shall provide that fines imposed and collected (if any) shall be used solely to maintain, enhance, and update gate facilities as needed and to annual notice to each homeowner reminding them of the limitations of use for the gate and the penalties violation of the use limitations.



8. The HOA shall employ a designated security consultant who shall design the security systems per County data requirements to be determined in consultation with County Planning Department (photographs of license plates, etc.). Consultant shall compile data, prepare a report annually, and submit to County Planning and Public Works for review. The report shall include descriptions of such items as: number of times the gate was opened, time of use, purpose of use, violation determination (if applicable), amount of that were fines levied and collected, report preparers name, contact information, and date of the report. The HOA documents shall clearly identify the HOA ability to levy fines and methods to assure collection such as tax liens, etc.
9. The applicant shall enter into a County Mitigation Monitoring and Reporting Agreement with County or its designee. Such agreement shall require review of submitted reports, meeting with HOA annually to discuss gate related matters. The applicant and subsequently the HOA shall fund the County Mitigation Monitoring Program.
10. The applicant shall provide that all ranch gates at the Laetitia AG Cluster project located along Upper Los Berros Road shall be designated as emergency access gates that in the event of an emergency declared by County shall be opened to allow emergency evacuation and/or refuge by residents of Upper Los Berros Canyon.

We believe these measure can be incorporated into a condition of approval subject to review and collaboration with staff to bring it into in final form and be enforceable by the County for the Laetitia AG Cluster project. These measures directly address the issue identified by Caltrans at the meeting and are enforceable by the County and sustainable by the applicant and HOA for the long term. If we have missed the mark on our task, please contact us immediately. Thanks again for bringing the meeting together.

Sincerely,

RRM DESIGN GROUP

A handwritten signature in black ink, appearing to read 'Victor Montgomery', is written over a large, stylized 'X' mark.

Victor Montgomery
Principal

cc: John Janneck, Laetitia
T. Keith Gurnee
Tim Walters, RRM Design Group
Members of the Board of Supervisors
Brian Pedrotti, Senior Planner, San Luis Obispo County
Caltrans

g:\v\files\action\20031463024 Laetitia AG Cluster\Project Management\Correspondence\Board of Supervisors\Laetitia draft letter to Marianne Meeting with Cal Fire and Caltrans 8-22-2016-Adrian.docx

APPLICABLE CODE SUMMARY

CALIFORNIA CODE OF REGULATIONS
TITLE 14 | DIVISION 1.5 | CHAPTER 7 | SUBCHAPTER 2

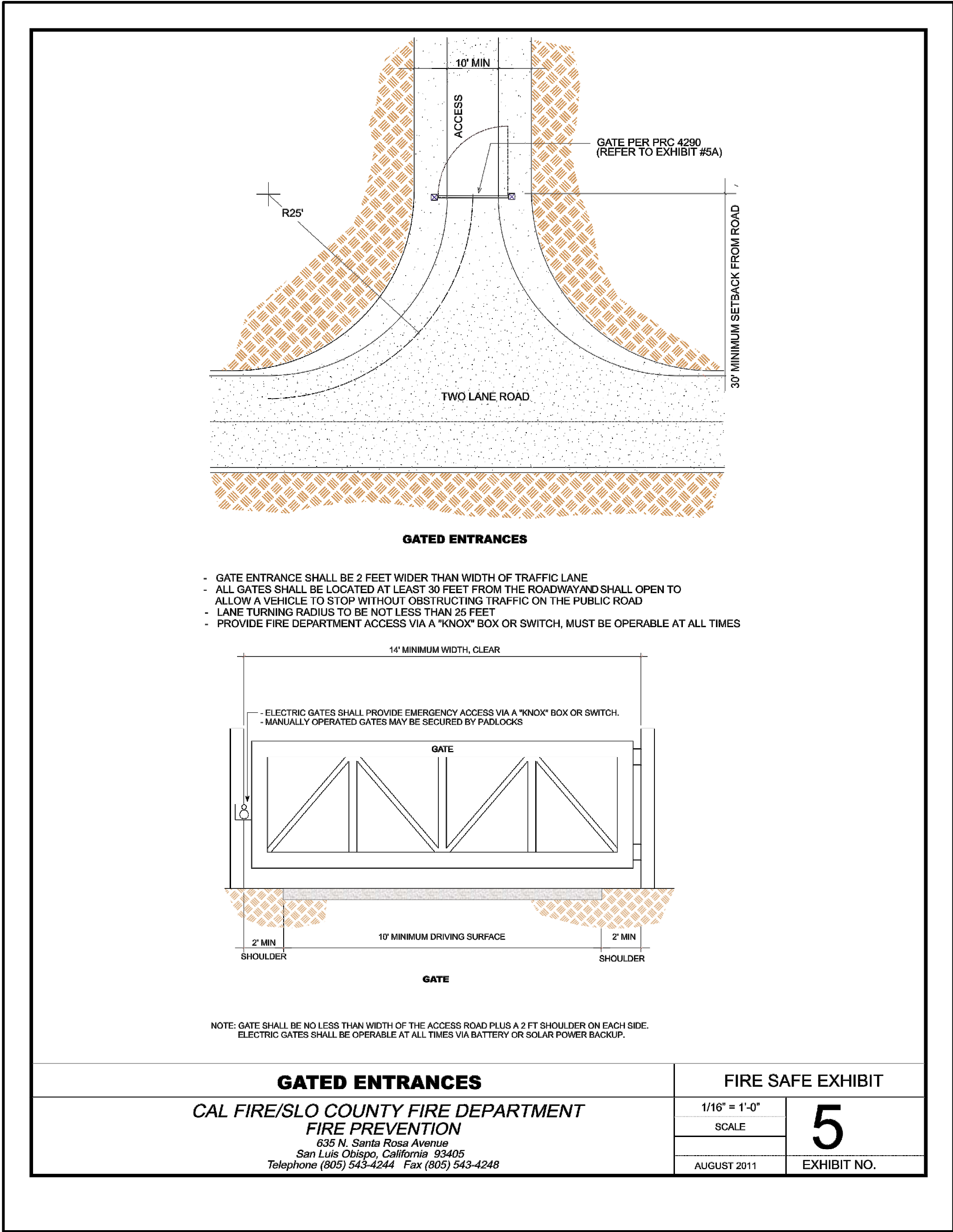
- § 1273.11 GATE ENTRANCE:
- a. GATE ENTRANCES SHALL BE AT LEAST TWO (2) FEET WIDER THAN THE WIDTH OF THE TRAFFIC LANE(S) SERVING THAT GATE AND A MINIMUM WIDTH OF FOURTEEN (14) FEET UNOBSTRUCTED HORIZONTAL CLEARANCE AND UNOBSTRUCTED VERTICAL CLEARANCE OF FIFTEEN (15) FEET.
 - b. ALL GATES PROVIDING ACCESS FROM A ROAD TO A DRIVEWAY SHALL BE LOCATED AT LEAST THIRTY (30) FEET FROM THE ROADWAY AND SHALL OPEN TO ALLOW A VEHICLE TO STOP WITHOUT OBSTRUCTING TRAFFIC ON THAT ROAD.
 - c. SECURITY GATES SHALL NOT BE INSTALLED WITHOUT APPROVAL AND WHERE SECURITY GATES ARE INSTALLED, THEY SHALL HAVE AN APPROVED MEANS OF EMERGENCY OPERATIONS. APPROVAL SHALL BE BY THE LOCAL AUTHORITY HAVING JURISDICTION. THE SECURITY GATES AND THE EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES.
 - d. WHERE A ONE-WAY ROAD WITH A SINGLE TRAFFIC LANE PROVIDES ACCESS TO A GATED ENTRANCE, A FORTY (40) FOOT TURNING RADIUS SHALL BE USED.

CALIFORNIA FIRE CODE
CHAPTER 5

- § 503.1 FIRE APPARATUS ACCESS ROADS
- §§ 503.5: REQUIRED GATES OR BARRICADES:
THE FIRE CODE OFFICIAL IS AUTHORIZED TO REQUIRE THE INSTALLATION AND MAINTENANCE OF GATES OR OTHER APPROVED BARRICADES ACROSS FIRE APPARATUS ACCESS ROADS, TRAILS OR OTHER ACCESSWAYS, NOT INCLUDING PUBLIC STREETS, ALLEYS OR HIGHWAYS. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200.
- §§ 503.5.1: SECURED GATES AND BARRICADES:
WHEN REQUIRED, GATES AND BARRICADES SHALL BE SECURED IN AN APPROVED MANNER. ROADS, TRAILS AND OTHER ACCESSWAYS THAT HAVE BEEN CLOSED AND OBSTRUCTED IN THE MANNER PRESCRIBED BY SECTION 503.5 SHALL NOT BE TRESPASSED ON OR USED UNLESS AUTHORIZED BY THE OWNER AND THE FIRE CODE OFFICIAL.
- §§ 503.6: SECURITY GATES:
THE INSTALLATION OF SECURITY GATES ACROSS A FIRE APPARATUS ACCESS ROAD SHALL BE APPROVED BY THE FIRE CHIEF. WHERE SECURITY GATES ARE INSTALLED, THEY SHALL HAVE AN APPROVED MEANS OF EMERGENCY OPERATION. THE SECURITY GATES AND THE EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200.

CALIFORNIA FIRE CODE
SECTION 4251-4290

- 4290 (a): THE BOARD SHALL ADOPT REGULATIONS IMPLEMENTING MINIMUM FIRE SAFETY STANDARDS RELATED TO DEFENSIBLE SPACE WHICH ARE APPLICABLE TO STATE RESPONSIBILITY AREA LANDS UNDER THE AUTHORITY OF THE DEPARTMENT. THESE REGULATIONS APPLY TO THE PERIMETERS AND ACCESS TO ALL RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL BUILDING CONSTRUCTION WITHIN STATE RESPONSIBILITY AREAS APPROVED AFTER JANUARY 1, 1991. THE BOARD MAY NOT ADOPT BUILDING STANDARDS, AS DEFINED IN SECTION 18909 OF THE HEALTH AND SAFETY CODE, UNDER THE AUTHORITY OF THIS SECTION. AS AN INTEGRAL PART OF FIRE SAFETY STANDARDS, THE STATE FIRE MARSHAL HAS THE AUTHORITY TO ADOPT REGULATIONS FOR ROOF COVERINGS AND OPENINGS INTO THE ATTIC AREAS OF BUILDINGS SPECIFIED IN SECTION 13108.5 OF THE HEALTH AND SAFETY CODE. THE REGULATIONS APPLY TO THE PLACEMENT OF MOBILE HOMES AS DEFINED BY NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS. THESE REGULATIONS DO NOT APPLY WHERE AN APPLICATION FOR A BUILDING PERMIT WAS FILED PRIOR TO JANUARY 1, 1991. OR TO PARCEL OR TENTATIVE MAPS OR OTHER DEVELOPMENTS APPROVED PRIOR TO JANUARY 1, 1991, IF THE FINAL MAP FOR THE TENTATIVE MAP IS APPROVED WITHIN THE TIME PRESCRIBED BY THE LOCAL ORDINANCE. THE REGULATIONS SHALL INCLUDE ALL OF THE FOLLOWING:
- 1) ROAD STANDARDS FOR FIRE EQUIPMENT ACCESS.
 - 2) STANDARDS FOR SIGNS IDENTIFYING STREETS, ROADS, AND BUILDINGS.
 - 3) MINIMUM PRIVATE WATER SUPPLY RESERVES FOR EMERGENCY FIRE USE.
 - 4) FUEL BREAKS AND GREENBELTS.
- (b): THESE REGULATIONS DO NOT SUPERSEDE LOCAL REGULATIONS WHICH EQUAL OR EXCEED MINIMUM REGULATIONS ADOPTED BY THE STATE.



CAL FIRE
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County Fire Department

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Robert Lewin, Fire Chief

EXHIBIT 5A
GATE REQUIREMENTS

Effective January 1, 2014 all gates for residential and commercial use shall meet Section 503.6 of the 2013 California Fire Code requirements for access:

- All gates shall be set back from the road a minimum of 30 feet from the edge of roadway, and shall open to allow a vehicle to stop without obstructing traffic on the public road. Local ordinance, certain conditions or County Public Works may require a greater setback.
- All gates shall be 2 feet wider on each side of the road/driveway.
- All electric gates shall automatically open with no special knowledge upon exiting.
- All electric gates shall have a KNOX switch for emergency fire department access.
- All electric gates shall have an approved means of emergency operation at all times, either through the use of solar power, battery back-up or fail to the open position upon a power outage.
- Security gates and their emergency operation shall be maintained operational at all times.
- Gates designed for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.
- Residential non-electric gates may be secured by a padlock.
- Commercial non-electric gates shall be secured by a KNOX padlock.

The use of a red "Fire Dept Access" box is no longer allowed for either residential or commercial use. CAL FIRE no longer maintains a list of gate codes due to security concerns and the extreme difficulty in maintaining current data. Your request for a Knox switch or padlock must include the address of the location where the product(s) will be installed. Once the order form has been completed, please send it, along with payment directly to the Knox Company.

The KNOX Company will not process CAL FIRE orders without an official KNOX Corporation order form, including an authorized original signature from approved CAL FIRE staff. A signed KNOX form will be sent to you via the U.S. Postal Service and will not be faxed due to security requirements. CAL FIRE orders placed on-line through the Knox website will not be processed.

Once you have received your KNOX gate switch/padlock and it has been installed, please contact the Fire Prevention Office at (805) 543-4244 extension #3429 to schedule an appointment for CAL FIRE staff to test the switch/padlock and ensure that it has been installed correctly.



APPROVED KNOX SWITCH



NEVER APPROVED



NO LONGER APPROVED



